

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: WALKER et al. ) Examiner: Not Yet Assigned  
) ) Group Art Unit: Not Yet Assigned  
Serial No.: Not Yet Assigned ) ) Attorney Docket No: 04-014  
) ) Filing Date: April 8, 2004 ) ) CUSTOMER NO.: 22927  
) )  
For: PURCHASING, REDEMPTION, AND )  
SETTLEMENT SYSTEMS AND )  
METHODS WHEREIN A BUYER )  
TAKES POSSESSION AT A RETAILER )  
OF A PRODUCT PURCHASED USING )  
A COMMUNICATION NETWORK )

## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as priority mail in an envelope with sufficient postage and addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: 04.08.04 By   
Michael D. Brinton

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

## INFORMATION DISCLOSURE STATEMENT

Sir:

Applicants submit herewith patents, publications or other information of which they are aware that they believe may be material to the examination of this application, and in respect of which, there may be a duty to disclose.

The filing of this information disclosure statement shall not be construed as a representation that a thorough search has been made, an admission that the information cited is, or is considered to be, material to patentability, or that no other material information exists. Nor shall the filing of this information disclosure statement be construed as an admission against interest in any manner.

This Information Disclosure Statement is filed in accordance with 37 C.F.R. §§1.56, 1.97 and 1.98. The items listed on the accompanying Form PTO-1449 may be deemed to be pertinent to the above-identified application and are made of record to assist the Patent and Trademark Office in its examination of this application. The Examiner is respectfully requested to fully consider the items listed on the enclosed copy of Form PTO-1449 and to independently ascertain their teaching.

1. [ ] Applicants respectfully direct the Examiner's attention to the pending U.S. patent applications listed on the enclosed Form PTO-1449. The Examiner is respectfully requested to fully consider and independently ascertain the teachings and relevance of those applications with respect to the instant application. Applicants would be pleased to provide the Examiner with a copy of these applications upon request.
2. [ ] For each of the items listed on the enclosed copy of Form PTO-1449 that is not in the English language, a European Search Report from a counterpart European application is enclosed. Such items are marked as reference letter(s): \_\_\_\_\_  
\_\_\_\_\_.
3. [ ] For each of the items listed on the enclosed copy of Form PTO-1449 that is not in the English language, a concise explanation of the relevance of that item is incorporated in the specification of the above-identified application. Such items are marked as reference letter(s): \_\_\_\_\_.
4. [X] No fee is believed to be due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with:

[X] 37 C.F.R. §1.97(b)(1), within three months of the filing date of the above-identified application.

[ ] 37 C.F.R. §1.97(b)(2), within three months of the date of entry into the national stage as set forth in §1.491.

[ ] 37 C.F.R. §1.97(b)(3), before the mailing date of a first Office Action on the merits.

5. [ ] No fee is believed to be due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. 1.97(c), after the period specified in paragraph 4 above but before the mailing date of a final action or a Notice of Allowance (where there has been no prior final action), and is accompanied by one of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 9 below.

6. [ ] A fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(c) after the period specified in paragraph 4 above but before the mailing date of a final action or a Notice of Allowance (where there has been no prior final action). The fee due under 37 C.F.R. §1.17(p) is to be paid as set forth in paragraph 10 below.

7. [ ] A fee is due under 37 C.F.R. §1.17(i)(1) for this Information Disclosure Statement since it is being filed in accordance with 37 C.F.R. §1.97(d), after the mailing date of a final action or a Notice of Allowance, but before the payment of the issue fee, and is accompanied by:

- a. one of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 9 below; and
- b. this document is to be considered as a petition requesting consideration of the information disclosure statement.

- c. the fee due under 37 C.F.R. §1.17(i)(1) which is paid as set forth in paragraph 10 below.

8. [ ] A fee is due under 37 C.F.R. §1.17(i)(1) for this Information Disclosure Statement since it is being filed in compliance with:

- [ ] 37 C.F.R. §1.313(b)(3), after the issue fee has been paid and information cited in this Information Disclosure Statement may render at least one claim unpatentable and is accompanied by the attached Petition to Withdraw Application from Issue;
- [ ] 37 C.F.R. §1.313(b)(5), after the issue fee has been paid and information cited in this Information Disclosure Statement is to be considered in a Continuation application upon abandonment of the instant application and is accompanied by the attached Petition to Withdraw Application from Issue.

9. [ ] I hereby certify:

- [ ] that each item of information contained in the items listed on the enclosed copy of Form PTO-1449 was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. A copy of such communication is enclosed.
- [ ] that no item of information contained or listed on the enclosed copy of Form PTO-1449 was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the undersigned after making reasonable inquiry, no item of information was known to any individual designated in §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

10. [ ] Please accept payment of the fees due as indicated below:

[ ] A check in the amount of \$180.00 is enclosed in payment of the fee due under 37 C.F.R. 1.17(p).

[ ] The Commissioner is hereby authorized to charge \$180.00 to Deposit Account No. 50-0271 in payment of the fee due under 37 C.F.R. §1.17(p).

11. [X] In addition to the citations listed above, applicants respectfully direct the Examiner's attention to the following U.S. patent applications, which are commonly assigned to the assignee of the instant application, and which may be deemed pertinent to the instant application:

<u>Serial No.</u>	<u>Inventors</u>	<u>Filing Date</u>	<u>Group Art Unit</u>	<u>Examiner's Init.</u>
08/858,738	Walker et al.	05/19/97	2764	
09/285,201	Walker et al.	04/01/99	2771	
09/316,546	Walker et al.	05/21/99	2761	
08/943,483	Walker et al.	10/03/97	2765	

The Examiner is respectfully requested to fully consider and independently ascertain the teachings and relevance of those applications with respect to the instant application. These applications have not been listed on the accompanying Form PTO-1449 in order to preserve their secrecy during the course of their prosecution.

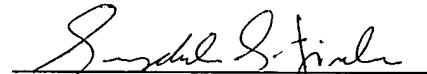
12. [X] The Commissioner is hereby authorized to charge any additional fees which may be required for this Information Disclosure Statement, or credit any overpayment to Deposit Account No. 50-0271. A copy of this authorization is attached.

13. [ ] No fee is believed to be due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed concurrently with a Request for Continued Examination.

Respectfully submitted,

April 8, 2004

Date

  
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<b>INFORMATION DISCLOSURE CITATION</b>		Docket Number 04-014	Serial Number Not Yet Assigned
		Applicants WALKER et al.	
		Filing Date April 8, 2004	Group Art Unit Not Yet Assigned

#### U.S. PATENT DOCUMENTS

EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE IF APPROPRIATE

#### FOREIGN PATENT DOCUMENTS

	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	Translation	
							Yes	No
	A	2,070,736	12/21/92	Canada				
	B	JP6035946	02/10/94	Japan (Abstract)				
	C	JP7078274	03/20/95	Japan (Abstract)				
	D	JP7272012	10/20/95	Japan (Abstract)				
	E	JP 08137951	05/31/96	Japan (Abstract)				
	F	JP8221484	08/30/96	Japan (Abstract)				
	G	WO 96/32701	10/17/96	PCT				
	H	2,217,739	10/17/96	Canada				
	I	JP9097288	04/08/97	Japan (Abstract)				
	J	WO 97/16797	05/09/97	PCT				
	K	WO 97/16897	05/09/97	PCT				
	L	WO 97/21200	06/12/97	PCT				
	M	EP 0 779 587 A2	06/18/97	Europe				

#### OTHER DOCUMENTS (Including author, Title, Date, Pertinent Pages, Etc.)

EXAMINER	DATE CONSIDERED:
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**EXAMINER:** Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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**FOREIGN PATENT DOCUMENTS**

	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	Translation	
							Yes	No
	N	WO 97/23838	07/03/97	PCT				
	O	WO 97/25684	07/17/97	PCT				
	P	WO 97/35441	09/25/97	PCT				
	Q	EP 0 779 587 A3	10/15/97	Europe				
	R	WO 97/44749	11/27/97	PCT				
	S	EP 0 817 138 A1	01/07/98	Europe				
	T	WO 98/06050	02/12/98	PCT				
	U	WO 98/15907	04/16/98	PCT (Abstract)				
	V	WO 98/19260	05/07/98	PCT				
	W	WO 98/21713	05/22/98	PCT				
	X	JP 10187820	07/21/98	Japan (Abstract)				
	Y	JP 10214284	08/11/98	Japan (Abstract)				
	Z	JP 10240830	09/11/98	Japan (Abstract)				
	AA	JP 10269049	10/09/98	Japan (Abstract)				

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	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	Translation	
							Yes	No
	BB	WO 98/48388	10/29/98	PCT (Abstract)				
	CC	WO 98/48563	10/29/98	PCT				
	DD	WO 98/49658	11/05/98	PCT				
	EE	WO 99/04326	01/28/99	PCT				
	FF	WO 99/07121	02/11/99	PCT				
	GG	WO 99/09508	02/25/99	PCT				
	HH	JP11088560A	03/30/99	Japan (Abstract)				

#### OTHER DOCUMENTS (Including author, Title, Date, Pertinent Pages, Etc.)

II	"Reaching Out in New Directions", Introducing the USA Value Exchange, First Data Corporation, undated.
JJ	Stigler, George J., "The Theory of Price", The Macmillan Company, Copyright 1952, pp. 82-94, 214-221.
KK	Bowman, Jr., Ward S., "Tying Arrangements and the Leverage Problem", The Yale Law Journal, November 1957, Vol. 67, No. 1, pp. 19-36.
LL	Stigler, George J., "The Theory of Price", The Macmillan Company, Third Edition, Copyright 1966, pp. 82-94, 208-215.

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MM	Quinn, Jane Bryant, "New Cars for Less", Newsweek, October 23, 1978, Section: The Columnist, pg. 80.
NN	Narasimhan, Chakravarthi, "A Price Discrimination Theory of Coupons", Marketing Science, Spring 1984, Vol. 3, No. 2, pp. 128- 147.
OO	Godwin, Nadine, "New software was key lure in \$17 million agency buyout.", Travel Weekly, November 26, 1984, Section: Vol. 43, pg. 45, ISSN: 0041-2082.
PP	"Woodside Management Systems Inc. today announced...", PR Newswire, April 1, 1986.
QQ	Tellis, Gerard J., " Beyond the Many Faces of Price: An Integration of Pricing Strategies", Journal of Marketing, October 1986, Vol. 50, pp. 146-160.
RR	Godwin, Nadine, "Agency, funded by 3M, set to market software; Travelmation touts trip planner to corporations; designed to eliminate client-agent telephone calls; Business Travel Update", Travel Weekly, October 13, 1986, Section: Vol. 45, pg. 45, ISSN: 0041-2082.
SS	Godwin, Nadine, "Agency dares to launch its own air res system; Travelmation system provides greater versatility, Automation Report", Travel Weekly, October 23, 1986.
TT	Joseph, Anthony, "Baby the engine, and other saving tips", The Christian Science Monitor, November 4, 1986, Section: Autos '87 Pullout, pg. B10.
UU	"Thomas Cook Travel U.S.A. has announced...", PR Newswire, January 12, 1987.
VV	Bawa, Kapil et al., "The Coupon-Prone Consumer: some Findings Based on Purchase Behavior Across Product Classes", Journal of Marketing, October 1987, Vol. 51, pp. 99-110.
WW	Nomani Sr., A., "Air Crashes Stir Signs of Anxiety in Travelers", Wall Street Journal, August 1, 1989, Section 2, pg. 1, Col. 1.
XX	Carlsen, Clifford, "From Airline Tickets to Human Organs, the Electronic Markets are Booming", San Francisco Business Times, August 14, 1989, Section: Vol. 3, No. 50, Section 1, pg. 17.
YY	Kuttner, Robert, "Computers May Turn the World into one Big Commodities Pit", Business Week, September 11, 1989, Section: Economic Viewpoint, No. 3123, pg. 17.

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ZZ	Golden, Fran, "AAL's Riga doubts Marketel's appeal to retailers", Travel Weekly, November 13, 1989, Section: Vol. 48, No. 91, pg. 4, ISSN: 0041-2082.
AAA	Del Rosso, Laura, "Firm proposes ticket-bidding system; Marketel explores electronic auction of travel", Travel Weekly, November 13, 1989, Section: No. 91, vol. 48, pg. 1, ISSN: 0041-2082.
BBB	"Letters to BusinessExtra", The San Francisco Chronicle, December 26, 1989, Section: Business, C7.
CCC	Wallace, David, "Company Planning to Let Flyers bid on Airfares", Philadelphia Business Journal, March 26, 1990, Section: Vol. 9, No. 3, Section 1, pg. 15.
DDD	Greenberg, Peter S., "The Savvy Traveler: Lower Air Fares For Consumers Not in the Cards..." Los Angeles Times, July 8, 1990, Section: Travel, Part L, pg. 2, Col. 1, Travel Peak.
EEE	Carey, Christopher, "Firm Offers Auction for Airline Tickets", St. Louis Post-Dispatch, August 7, 1991, Section: Business, pg. 1B.
FFF	Pelline, Jeff, "Travelers Bidding on Airline Tickets SF firm offers chance for cut-rate fares", The San Francisco Chronicle, August 19, 1991, Section: News, pg. A4.
GGG	Upton, Kim, "News and Briefs: French Say Monoliths Off-Limits to Visitors", Los Angeles Times, August 25, 1991, Section: Travel, Part L, pg. 4, Col. 1, Travel Desk.
HHH	"Brother Industries is pushing ahead with its new PC software vending machine operation in a bid to boost revenues in the field to 10 billion yen by 1995, IDC Japan Report, August 30, 1991, Section: Vol. 17, pg. 53.
III	"Bookit Airfare Bidding System (Fax for Your Plane Ticket?)", Consumer Reports Travel Letter, September 1991, Section: Vol. 7, No. 9, pp. 97, 106.
JJJ	Nelson, Janet, "Practical Traveler; Airlines Relaxing Policy On No-Refund Tickets", The New York Times, September 22, 1991, Section 5, pg. 3, Col. 1, Travel Desk.

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KKK	“Traveler’s Notes; Easier Airfare Bidding.”, Consumer Reports Travel Letter, October 1991, Section: Vol. 7, No. 10, pg. 119.
LLL	“Buy Low, Fly High”, USA Today, November 14, 1991, Section: Bonus, pg. 15.
MMM	Feldman, Joan M., “To rein in those CRSs; computer reservation systems” Air Transport World, December 1991, Section: Vol. 28, No. 12, pg. 89, ISSN: 0002-2543.
NNN	“Traveler’s Notes; Bookit Report”, Consumers Reports Travel Letter, December 1991, Section: Vol. 7, No. 12, pg. 143.
OOO	“CRTL’s Blue Ribbon Deals for 1992”, Consumer Reports Travel Letter, January 1992, Section: Vol. 8, No. 1, pp. 3-5.
PPP	“Newsletters”, The Atlanta Journal and Constitution, March 1, 1992, Section: Travel: Section K, pg. 13.
QQQ	Del Rosso, Laura, “Ticket-bidding firm closes its doors, Marketel International”, Travel Weekly, March 12, 1992, Section: Vol. 51, No. 21, pg. 1, ISSN: 0041-2082.
RRR	Hainer, Cathy et al., “Where vacationing kids get good care”, USA Today, April 1, 1992, Section: Life, pg. 4D.
SSS	Weatherford, Lawrence R. et al., “A Taxonomy and Research Overview of Perishable-Asset Revenue Management: Yield Management, Overbooking, and Pricing”, Operations Research, September – October 1992, Vol. 40, No. 5, pp. 831-844.
TTT	Spencer, Milton, H. et al., “Contemporary Economics”, Worth Publishers, Copyright 1993, pp. 567-570.
UUU	Rajendran, K.N., “Contextual and Temporal Components of Reference Price”, Journal of Marketing, January 1994, Vol. 58, pp. 22-34.

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VVV	“FAQ: CSH Coke Machine Information”, FAQ, May 23, 1994, vol. 1.2, ( <a href="http://www.cs.uu.nl/wais/html/na-dir/csh-coke-machine-info.html">http://www.cs.uu.nl/wais/html/na-dir/csh-coke-machine-info.html</a> ).
WWW	“Six Vendors Sign on For Early Electronic Commerce Venture”, Voice Technology News, December 13, 1994, Section: No. 25, Vol. 6, ISSN: 1045-1498.
XXX	Feldman, Joan M., “Reclaiming control; new software to close gap between projected and actual revenues”, August 1995, Section: Vol. 32, No. 8, pg. 35, ISSN: 0002-2543.
YYY	United States v. Eastman Kodak Co., United States Court of Appeals for the Second Circuit, Docket No.: 97-6190, decided August 4, 1995.
ZZZ	“Coupons and More – Welcome to coolsavings.com”, <a href="http://www.coolsavings.com">www.coolsavings.com</a> , copyright 1996-1999.
AAAA	Evans, Judith, “Who was that Masked Cybershopper? MasterCard-Visa Agreement on Credit Card Security May Make On-Line Commerce Fly”, The Washington Post, February 2, 1996, Section: Financial, pg. F01.
BBBB	Hilts, Paul, “Technology meets commerce; electronic publishing”, Publishers Weekly, July 8, 1996, Section: Vol. 243, No. 28, pg. 43, ISSN: 0000-0019.
CCCC	Maras, Elliot, “1995: downsizing adds costs; new strategies sought”, Automatic Merchandiser, August 1996, pp. 20-22, 24, 26, 28, 30, 32, 34, 36, 38, 40, 44, Section: State of the Industry Report
DDDD	Prentice, Michael, “Searching for the lowest fare: Getting the lowest fare takes work, but it’s worth the effort”, The Ottawa Citizen, October 9, 1996, Section: Citylife; Consuming Passion, pg. C3.
EEEE	“Auctioning unsold airline tickets”, Insight (USA), download date: October 29, 1996.
FFFF	“Web Ventures presents Bookit!”, ( <a href="http://www.webventures.com/bookit">http://www.webventures.com/bookit</a> ), download date: December 2, 1996.
GGGG	Naik, Gautam, “In Digital Dorm, Click on Return for Soda”, The Wall Street Journal Online, January 23, 1997.

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HHHH	Shea, Barbara, "Read Fin Print When Comparing Car Rentals", St. Louis Post-Dispatch, February 9, 1997, Section: Travel & Leisure, pg. 04T.
III	"Salomon Brother's Maldutis Says Internet is Aviation's 'Third Revolution;' Will Earn Billions", World Airline News, March 21, 1997, Section: Vol. 7, No. 12.
JJJJ	"First Virtual Holdings Releases Beta Software for Secure Transactions On Microsoft Merchant Server", PR Newswire, March 31, 1997, Section: Financial News.
KKKK	PCT International Search Report for Application No. PCT/US97/13588, in the name of Walker et al., mailed April 12, 1997.
LLLL	"About Cyberslice", ( <a href="http://www.cyberslice.com/cgi-bin/WebObjects/Cyberslice2@httpserv01/">http://www.cyberslice.com/cgi-bin/WebObjects/Cyberslice2@httpserv01/</a> ), download date: May 6, 1997.
MMMM	"My Auto Broker – Online Auto Broker", ( <a href="http://www.adverlink.com/myautobroker/">http://www.adverlink.com/myautobroker/</a> ), download date: May 28, 1997.
NNNN	"The Easy, Pain-Free Way to Buy or Lease Your Next Car!", ( <a href="http://www.autoseek.com/#what">http://www.autoseek.com/#what</a> ), download date: May 28, 1997.
OOOO	"Pricewatch", ( <a href="http://icon.co.za/~robo/prod01.htm">http://icon.co.za/~robo/prod01.htm</a> ), download date: June 9, 1997.
PPPP	Website: "Computer Science House: Projects: Drink Machine", ( <a href="http://www.csh.rit.edu/proj/drink.html">http://www.csh.rit.edu/proj/drink.html</a> ), download date: January 29, 1998.
QQQQ	Feldman, Joan M., "Pricing and cybersales; Internet airline ticket sales and reservations", February 1998, Section: No. 2, Vol. 35, pg. 64, ISSN: 0002-2543.
RRRR	Desjardins, Doug, "Hollywood's Investment in Online Video Retailer Gets Mixed Reviews", Video Store, August 9, 1998, Section: pg. 1, ISSN: 0195-1750.
SSSS	Adyanthaya, Surain, "Revenue management: the Black Art", Interavia Business & Technology, September 1998, Section: No. 623, Vol. 53, pg. 43, ISSN: 0983-1592.
TTTT	Tooher, Nora Lockwood, "Macy's new gift card gets trial run in Warwick", The Providence Journal-Bulletin, October 1, 1998, Section: Business, pg. 1E.

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UUUU	"A Personal Information Manager For the Web Savvy Consumer.", ( <a href="http://www.killerapp.com/html/main/pr0004.html">http://www.killerapp.com/html/main/pr0004.html</a> ), October 2, 1998.
VVVV	"Airfare Bargains on the Net: About E-mail Lists", ( <a href="http://travel.epicurious.com/travel/c_planning/02_airfares/email/intro.html">http://travel.epicurious.com/travel/c_planning/02_airfares/email/intro.html</a> ), download date: October 5, 1998.
WWWW	"Airtech – FlightPass FAQ", ( <a href="http://www.airtech.com/at_flightpass/at_faqflightpass.htm">http://www.airtech.com/at_flightpass/at_faqflightpass.htm</a> ), download date: October 5, 1998.
XXXX	Woolley, Scott, "I got it cheaper than you", Forbes, November 2, 1998, Section: Management, Strategies, Trends, pg. 82.
YYYY	Caruso, Denise, "Digital Commerce; The boom in on-line shopping adds a twist to the old quandary of how to tax interstate purchases.", The New York Times, December 28, 1998.
ZZZZ	"Travel Industry Bellwether for All Commerce Players", Jupiter Communications, Copyright 1999, Jupiter Strategic Planning Services.
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<b>EXAMINER</b>	<b>DATE CONSIDERED:</b>
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<b>INFORMATION DISCLOSURE CITATION</b>	Docket Number 04-014	Serial Number Not Yet Assigned
	Applicants WALKER et al.	
	Filing Date April 8, 2004	Group Art Unit Not Yet Assigned

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	04-014	Not Yet Assigned
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April 8, 2004	Not Yet Assigned	

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